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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

<u>PATENT</u>

Applicant(s):

Fred Bishop, et al.

Docket No.:

40655.4100

Serial No.:

TBA

Group Art Unit:

TBA

Filed:

February 26, 2002

Examiner:

TBA

Title:

Confirmation No.:

TBA

INFORMATION DISCLOSURE STATEMENT

Assistant Commissioner For Patents Box Patent Application Washington, D.C. 20231

Assistant Commissioner:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and pursuant to 37 C.F.R., §§1.97 and 1.98, Applicant hereby notifies the U.S. Patent and Trademark Office of the documents listed on the attached Form PTO/SB/08A. One copy of each cited document is submitted herewith for citations on page 1 and 2; however, we are not providing copies of the citations listed on pages 3-7 as these were previously provided in the parent case. Applicant respectfully submits that all pending claims are patentable over the foregoing references, alone or in combination. The Examiner is requested to initial the enclosed Form PTO/SB/08A and return a copy thereof to the undersigned.

The items listed on Form PTO/SB/08A may be deemed to be pertinent to the above-identified application and are made of record to assist the Patent and Trademark Office in its examination of this application. The Examiner is respectfully requested to fully consider the items and to independently ascertain their teaching.

The submission of the listed documents is not intended as an admission that any such document constitutes prior art against the claims of the present application. Applicants reserve the right to dispute any of the listed documents as prior art during examination. Further, Applicants do not waive any right to take any action that would be appropriate to antedate or otherwise remove any listed document as a competent reference against the claims of the present application. Furthermore, the submission of

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this Information Disclosure Statement is not to be construed as a representation that a search has been made or that no other material information may exist.

1. []	that a po	each of the following items listed on the enclosed copy of Form PTO/SB/08A is not in the English language, an English language translation of that item or rtion thereof or a concise explanation of the relevance of that item is osed:
2. []	not e or su Divis	copy of the items listed on the enclosed copy of Form PTO/SB/08A that is enclosed with this Information Disclosure Statement was previously cited by ubmitted to the Patent and Trademark Office in the prior [] Continuation, [] sional or [] Continuation-In-Part application under 37 C.F.R. §1.60, U.S. al No, filed
3. [X		ee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement it is being filed in compliance with:
	[X]	37 C.F.R. §1.97(b)(1), within three months of the filing date of the above-identified application.
٠	[]	37 C.F.R. §1.97(b)(2), within three months of the date of entry into the national stage as set forth in §1.491 in an international application.
	[]	37 C.F.R. §1.97(b)(3), before the mailing date of a first Office action on the merits.
4. []	since spec Notice acco in pa	ee is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement e it is being filed in compliance with 37 C.F.R. §1.97(c), after the period sified in paragraph 3 above but before the mailing date of a final action or a ce of Allowance (where there has been no prior final action), and is impanied by one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth aragraph 8 below.
5. []	A fee since spec	e is due under 37 C.F.R. §1.17(p) for this Information Disclosure Statement e it is being filed in compliance with 37 C.F.R. §1.97(c), after the period cified in paragraph 3 above but before the mailing date of a final action or a see of allowance (where there has been no prior final action):
	[]	A check in the amount of \$180.00 is enclosed in payment of the fee.
	[]	Charge the fee to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

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6. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with 37 C.F.R. §1.97(d), after the mailing date of a final action or a notice of allowance, whichever comes first, but before payment of the issue fee, and is accompanied by:

- a. one of the certifications pursuant to 37 C.F.R. §1.97(e) set forth in paragraph 8 below; and
- b. the attached petition requesting consideration of this Information Disclosure Statement; and
- c. the fee due under 37 C.F.R. §1.17(i)(1) which is paid as set forth in paragraph 9 below.
- 7. [] A fee is due under 37 C.F.R. §1.17(i)(1) for this Information Disclosure Statement since it is being filed in compliance with:
 - a. [] 37 C.F.R. §1.313(b)(3), after the issue fee has been paid and information cited in this Information Disclosure Statement may render at least one claim unpatentable and is accompanied by the attached Petition To Withdraw Application From Issue;
 - b. [] 37 C.F.R. §1.313(b)(5), after the issue fee has been paid and information cited in this Information Disclosure Statement is to be considered in a Continuation application upon abandonment of the instant application and is accompanied by the attached Petition To Withdraw Application From Issue.
 - c. The fee due under 37 C.F.R. §1.17(i)(1) is paid as set forth in paragraph 9 below.
- 8. [] I hereby certify that each item of information contained in this Information Disclosure Statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this Information Disclosure Statement.
- Statement filed herewith was cited in a communication from a foreign patent office in a counterpart foreign application or, to my knowledge after making reasonable inquiry, was known to any individual designated in §1.56(c) more than three months prior to the filing of this Information Disclosure Statement.
- 9. [] A check in the amount of \$180.00 is enclosed in payment of the fee due under 37 C.F.R. §1.17(p).
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[X] The Assistant Commissioner is hereby authorized to charge any additional fees which may be required for this Information Disclosure Statement, or credit any overpayment to Deposit Account No. 19-2814. A DUPLICATE COPY OF THIS SHEET IS ATTACHED.

Respectfully submitted,

Snell & Wilmer

Dated: February 26, 2002

Howard I. Sobelman Registration No. 39,038

Snell & Wilmer L.L.P. One Arizona Center 400 E. Van Buren Phoenix, Arizona 85004-2202 (602) 382-6228 (602) 382-6070 Telecopier

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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

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	Application Number	TBA
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CTATEMENT BY ADDITIONS	First Named Inventor	Fred Bishop

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Application Number	TBA					
Filing Date	February 26, 2002	ລັ				
First Named Inventor	Fred Bishop					
Group Art Unit	ТВА	82				
Examiner Name	TBA	ភ្				
Attorney Docket Number	40655.4100					

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Examiner Initials*	Cite No. ¹	Number	Kind Code ²	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear
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Examiner Initials*	Cite No. ¹	Office ³	Number ⁴	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T ⁶
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^{*}EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). 4 For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the senal number of the patent document. 5 Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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INFORMATION DISCLOSURE STATEMENT BY APPLICANT

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Sheet 2 of 7

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Application Number	ТВА						
Filing Date	February 26, 2002						
First Named Inventor	Fred Bishop						
Group Art Unit	TBA						
Examiner Name	TBA						
Attorney Docket Number	40655.4100						

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Examiner Initials	Cite No.1	Number	Kind Code ²	Name of Patentee or Applicant of Cited Document	Cited Document MM-DD-YYYY	Where Relevant Passages or Relevant Figures Appear
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¹ Unique citation designation number. See attached Kinds of U.S. Patent Documents. ³ Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴ For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵ Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶ Applicant is to place a check mark here if English language Translation is attached.

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Complete if Known Substitute for form 1449A/PTO **Application Number** t/b/a INFORMATION DISCLOSURE **Filing Date** February 26, 2002 STATEMENT BY APPLICANT **First Named Inventor** BISHOP, Fred Group Art Unit t/b/a (use as many sheets as necessary) **Examiner Name** t/b/a of Attorney Docket Number 7 40655.4100

				U.S. PATENT DOC	UMENTS	
Examiner Initials*	Cite No. ¹	U.S. Patent Number	Document Kind Code² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
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Complete if Known Substitute for form 1449A/PTO Application Number t/b/a INFORMATION DISCLOSURE Filing Date February 26, 2002 STATEMENT BY APPLICANT First Named Inventor BISHOP, Fred **Group Art Unit** t/b/a (use as many sheets as necessary) t/b/a **Examiner Name** of Attorney Docket Number 40655.4100

		U.S. Patent Do	cument	U.S. PATENT DOC	Date of Publication of	Pages, Columns, Lines,
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STA	TEMENT I	BY A	PPLICANT	First Named Inventor	BISHOP, Fred	
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Sheet	5	of	7	Attorney Docket Number	40655.4100	

				U.S. PATENT DOC	UMENTS	
Examiner Initials	Cite No. ¹	U.S. Paten Number	Kind Code ² (if known)	Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		5,621,812	(#////	Deaton et al.	4/15/1997	
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Examiner Initials*			Foreign Patent Doo Number ⁴	Kind Code ⁵	nd Code ⁵ Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear	T ⁶
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				Application Number	t/b/a	
INFO	DRMATIO	N DIS	CLOSURE	Filing Date	February 26, 2002	
STA	TEMENT	BY A	PPLICANT	First Named Inventor	BISHOP, Fred	
				Group Art Unit	t/b/a	
	(use as many s	heets as	necessary)	Examiner Name	t/b/a	
Sheet	<u></u>	of	7	Attorney Docket Number	40655.4100	

		U.S. Patent Docur	nent	U.S. PATENT DOC	Date of Publication of	Pages, Columns, Lines,	
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	Cite		Foreign Patent Do		Name of Patentee or	Date of Publication of	Pages, Columns, Lines, Where Relevant	
	No.1	Office ³	Number⁴	Kind Code ⁵ (if known)	Applicant of Cited Document	Cited Document MM-DD-YYYY	Passages or Relevant Figures Appear	T ⁶
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Substit	ute for form 1449A/P1	то		Complete if Known			
				Application Number	t/b/a		
INF	ORMATION	I DIS	SCLOSURE	Filing Date	February 26, 2002		
STA	ATEMENT B	BY A	PPLICANT	First Named Inventor	BISHOP, Fred		
				Group Art Unit	t/b/a		
	(use as many sh	eets as	necessary)	Examiner Name	t/b/a		
Sheet	7 ′	of	7	Attorney Docket Number	40655.4100		

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